IN THE HIGH COURT OF JUDICATURE AT BOMBAY

T AND I JURISDICTION

NOTICE OF MOTION NO. 3196 OF 2004

IN

TESTAMENTARY SUIT NO. 43 OF 2004

IN

TESTAMENTARY SUIT NO. 480 OF 2004

Petition for the probate of the last will and testament of Shrimati Lilavati Jayendra Mehta

.....Deceased

Shri Vijay Jayendra Mehta ...Petitioner
AND
Smt. Shobha Bhaskarbhai Shah ...Caveator

None for the petitioner.

Mrs. K.G. Parmar with Chandra Shekhar for the Caveator.

CORAM: S.U. KAMDAR, J.

DATE : 11TH AUGUST, 2005.

P.C. :

1. By the present notice of motion the

caveator is seeking an order of injunction inrespect of the properties which are forming part of the petition and covered by Schedule-I thereof. The immovable properties which are set out in Schedule -I are as under :

Shop No.3, First Gunpowder Cross Lane, Dockyard Road, Mazgaon, Mumbai-10

The second property is a residential flat situated at C-21, Shalimar Apartment Co-op Hsg Soc Ltd, 70, Marvey Road, Orlen, Malad (W), Mumbai-64

Godown situated at village Ishanpur, Village, Taluka city Ahmedabad bearing survey number 411 block, no.76 and 77.

2. The present motion has been served on

the petitioner and the matter was on board yesterday. Notice was served on the petitioner on 10.8.2005. Inspite of that none appears for the petitioner. In view thereof motion made absolute in terms of prayer clause (a). Motion disposed off accordingly. No order as to costs.

sd/-

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